

LAW OFFICES
HARTMAN & WINNICKI, P.C.

Dariusz M. Winnicki *^o
Richard L. Ravin *^o□
Daniel L. Schmutter*
Andrew T. Wolfe*

74 PASSAIC STREET
RIDGEWOOD, NEW JERSEY 07450

Phone: (201) 967-8040
Fax: (201) 967-0590

* * *

* New York and New Jersey Bars
^o Florida Bar
□ Washington, D.C. Bar
◇ New Jersey Bar

WEBSITE
www.hartmanwinnicki.com

Porter E. Hartman (1920-2009)
Charles R. Buhrman (1938-1994)
William T. Marsden (1943-1993)
Cyrus D. Samuelson (1911-1998)

June 10, 2022

VIA ECF

Hon. Paul G. Gardephe, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: Everytown for Gun Safety Action Fund, Inc. v. Defcad, Inc., No. 21-cv-8704 (PGG)

Dear Judge Gardephe:

We represent defendants Defcad, Inc., Phillip Royster, Defcad User xYeezySZN, Odysee User xYeezySZN, The Gatalog, Defcad User Freeman1337, and Twitter User xYeezySZN. We write for clarification regarding the upcoming briefing schedule for defendants' motion to dismiss.

Section IV(C) of Your Honor's Individual Rules of Practice specifies that motions shall be filed in accordance with the Bundling Rule. However, the May 18, 2022 order of Judge Lehrburger sets forth a specific set of individual filing deadlines for moving, opposition, and reply papers that appear inconsistent with the Bundling Rule.

Accordingly, we ask the Court to clarify whether Your Honor wishes papers associated with the motion to dismiss be filed according to the specific time frames in the May 18 Order or according to the Bundling Rule.

Thank you.

Respectfully submitted,

/s/ Daniel L. Schmutter
DANIEL L. SCHMUTTER

DLS/srs

cc: Marcella Ballard, Esq. (via ECF)